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APR 18 1991

ORIGINAL

FM EXAMINERS

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

POSTED
4-25-91

Original

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APR 17 1991

In re Application of)

Joy Public Broadcasting Corp.)

For a Construction Permit for a)
new non-commercial FM station on)
Channel 203 at Lincoln, Nebraska)

BPED-900621MA

Federal Communications Commission
Office of the Secretary

To: Chief, Mass Media Bureau

OPPOSITION TO PETITION TO DENY

Joy Public Broadcasting Corporation, by its attorneys, hereby opposes The Chronicle Publishing Company's (The Chronicle) March 19, 1991 Petition to Deny (Petition). In opposition thereto, the following is respectfully submitted:

1) With one exception, the Chronicle's Petition against the captioned application consists entirely of an incorporation of its January 3, 1990 Petition to Deny against JPBC's earlier filed application for Lincoln, Nebraska. JPBC shall first address The Chronicle's new allegation that JPBC did not respond to the Commission's September 24, 1990 letter.¹

2) After reviewing the Commission's public file for the captioned application undersigned counsel was unable to locate a copy of the October 3, 1990 response JPBC thought had been mailed to the Commission. Thus, on April 16, 1991 JPBC filed an amendment

¹

That letter, inter alia, requested an interference showing concerning The Chronicle's TV channel 6.

containing supplemental information concerning the level of interference to channel 6 viewers. Attachment A hereto.

3) The Chronicle incorporates its earlier filed Petition to Deny because the captioned application's "technical parameters, . . . engineering section and . . . engineering exhibits are identical to those contained in a previous application by [JPBC] for a new station at Lincoln . . . BPED-881205MB." Petition, pp. 1-2. The Chronicle is correct that the engineering of the two proposals is identical.

4) On January 30, 1990 JPBC filed a response to the engineering allegations contained in The Chronicle's January 3, 1990 Petition to Deny. Attachment B hereto.² Because the captioned application is based upon the same engineering assumptions as JPBC's earlier filed application for Lincoln, JPBC's January 30, 1990 filing adequately responds to The Chronicle's concerns.³


² Undersigned counsel obtained a copy of the document contained in Attachment B from the Commission's public file on April 15, 1990.

³ The Chronicle has requested, and JPBC has agreed to accept, a condition on the construction permit which requires pattern measurement prior to licensing.

WHEREFORE, in view of the information presented herein, it is respectfully requested that the Petition be denied and that the captioned application be granted.

Respectfully submitted,

Dean George Hill, P.C.
Suite #113
1330 New Hampshire Ave., N.W.
Washington, D.C. 20036
(202) 775-0070
April 17, 1991



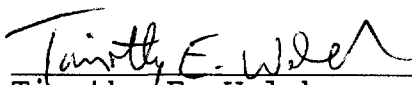
Timothy E. Welch

Its Attorney

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th of April 1991 sent a copy of the foregoing OPPOSITION TO PETITION TO DENY by first class United States Mail, postage prepaid, to the following:

James P. Riley, Esq.
Fletcher, Heald, & Hildreth
1225 Connecticut Ave., N.W. #400
Washington, D.C. 20036



Timothy E. Welch

Law Offices
Dean George Hill, P.C.

1330 New Hampshire Ave., N.W.
Suite 113
Washington, D.C. 20036
(202) 775-0070
(Fax) 775-9026

April 16, 1991

Dennis Williams, Chief
FM Branch--Audio Services Division
Mass Media Bureau
Federal Communications Commission
Washington, D.C. 20554

RECEIVED
APR 16 1991
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dean George Hill
Timothy E. Welch

Re: Minor Amendment to Application for a New
Non-Commercial Educational Station
Lincoln, NE--File No. BPED-900621MA


Dear Mr. Williams:

Transmitted herewith on behalf of Joy Public Broadcasting Corporation (JPBC) is an amendment to the referenced application. The amendment responds to the Commission's letter dated September 24, 1990. On March 19, 1991 The Chronicle Publishing Company alleged that JPBC had not responded to the Commission's letter. As disclosed in the attached amendment, JPBC had thought that the required information was filed, by mail, in October 1990. However, JPBC's review of the Commission's files failed to uncover any evidence that the amendment was received by the Commission.

The instant filing is made to ensure Commission receipt of the information and to allay, hopefully, the concerns of The Chronicle Publishing Company. An original signature will be provided upon its arrival in counsel's office. Because no party will be prejudiced by acceptance of the attached amendment, JPBC respectfully requests that the amendment be accepted and that processing of the referenced application continue. JPBC is instituting a filing procedure which is intended to ensure Commission receipt of filings. It is anticipated that future filings will be directed through this office and hand delivered to the Commission's Secretary's office. JPBC's apologizes for any inconvenience caused to any party.

Should any questions arise concerning this matter, kindly contact this office.

Respectfully,


Timothy E. Welch

enclosure

cc: Joy Public Broadcasting Corporation
James P. Riley, Esq.

Joy Public Broadcasting Corporation
5712 Massachusetts Ave.
Bethesda, MD 20816

April 15, 1991

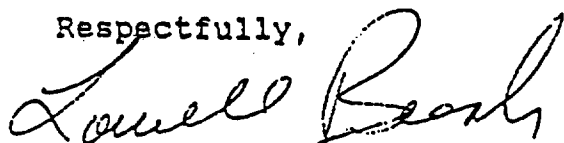
Dennis Williams, Chief
FM Branch--Audio Services Division
Mass Media Bureau
Federal Communications Commission
Washington, D.C. 20554

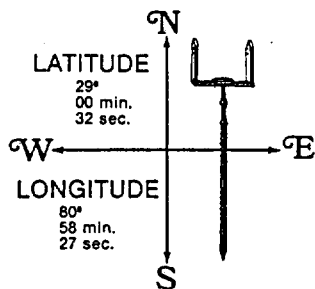
Re: Minor Amendment to Non-Commercial Educational Application
Lincoln, NE
File No. BPED-900621MA

Dear Mr. Williams:

Attached hereto is an amendment to the referenced application describing the manner in which the level of interference to the local channel 6 TV station was determined. It is believed that this amendment had originally been filed in early October 1990. However, after reviewing our files and the Commission's files, we were unable to locate a copy of that amendment. Thus, the instant filing is made to ensure Commission receipt of this information.

Respectfully,


Lowell Bush
President



Richard Van Zandt

Broadcast Engineer

904-427-9000

2596 STATE ROAD 44

NEW SMYRNA BEACH, FL 32069

10-3-90

Federal Communications Commission
FM Branch
1919 M Street, N.W.
Washington, D.C. 20554

RE: 8920-MJF
NEW(FM) Lincoln, Nebraska
BPED-900621MA

Dear FCC:

Your letter 8920-MJF requested additional information showing compliance with 47 C.F.R. § 73.525 for the above captioned application.

Attached please find:

EXHIBIT E-4a: showing the location of WOWT's Contours. This map was previously filed with the FCC.

EXHIBIT E-4b: showing the "Projected Interference Area". This map was previously filed with the FCC.

EXHIBIT E-4c: a tabulation of calculations used to determine the "Projected Interference Area". While this tabulation shows the figures for each 10° interval the calculations were done for 1° intervals. Calculations were conducted using a horizontal ERP of .125 kilowatts. The application proposes to operate with Vertical Polarization only. Therefore, the .125 Kw is multiplied by 40 to give an allowable Vertically Polarized ERP of 5.0 kilowatts.

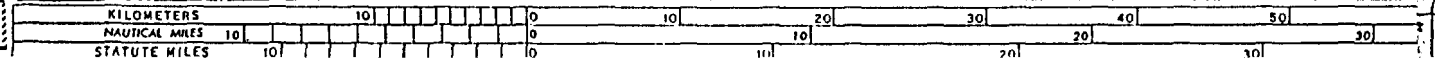
A tabulation for the number of persons within the predicted interference area is listed on Exhibit E-4. The number shown is the total number within each MCD/CCD. The actual number of people in the "Projected Interference Area" is a smaller number. However, since the number is less than 3,000 further calculation was not done.

Respectfully,


Richard Van Zandt

EXHIBIT: E 4a
 LOCATION: LINCOLN, NE.
 CHANNEL: 203
 DATE: OCTOBER 1988
 MAP: OMAHA AERO.

The map shows the transmitter site located near the city of Lincoln, Nebraska. The TV-6 area is also indicated. The map includes various contour lines and labels for cities and locations. A scale bar at the bottom indicates distances in kilometers and nautical miles.



SAUNDERS LANCASTER

1980 CENSUS TRACTS
LINCOLN, NEBR.
STANDARD METROPOLITAN STATISTICAL AREA

EXHIBIT: E-4b
LOCATION: LINCOLN, NE.
CHANNEL: 203

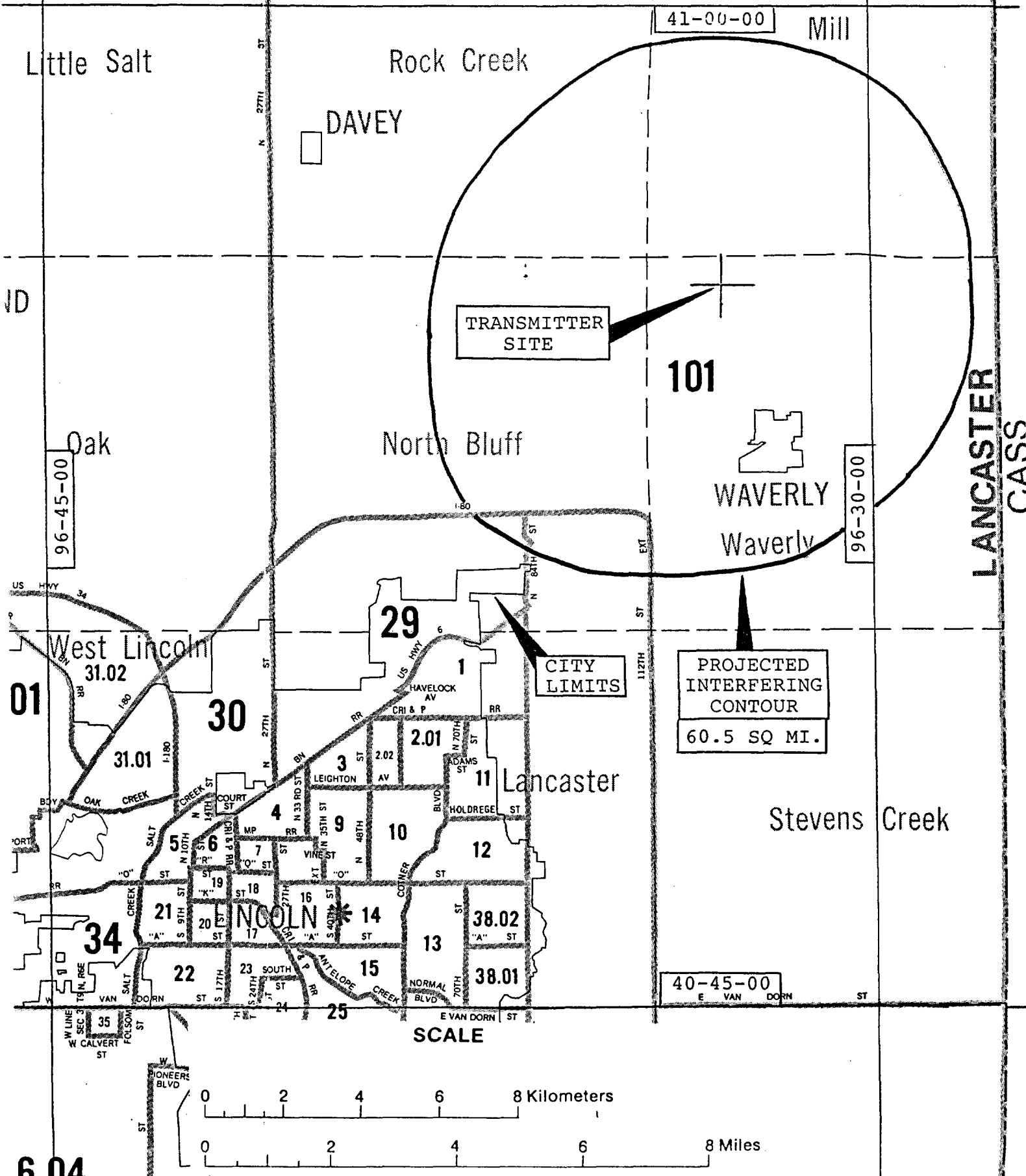


EXHIBIT: E-4c
LOCATION: LINCOLN, NE
CHANNEL: 203

CALCULATIONS TO DETERMAIN THE "PROJECTED INTERFERENCE AREA".

ACCORDING TO SECTION 73.525

TV-6-----					-----NEW FM-----					U/D RATIO (db)	DIST TO INTERF. AREA (km)
BEAR. (deg)	DIST. (km)	HAAT (f)	ERP (kw)	F.S. (db)	BEAR. (deg)	DIST. (km)	HAAT (f)	ERP (kw)	F.S. (db)		
230.6	56.4	1364	100	70.7	0	6.5	332	.13	69.2	-1.6	6.5
229.8	55.5	1365	100	71.1	10	6.5	344	.13	69.5	-1.6	6.5
228.8	54.9	1366	100	71.4	20	6.5	357	.13	69.7	-1.7	6.5
227.7	54.4	1367	100	71.6	30	6.6	370	.13	69.9	-1.7	6.6
226.6	54.1	1368	100	71.7	40	6.7	383	.13	70.0	-1.7	6.7
225.3	54.1	1369	100	71.7	50	6.6	382	.13	70.0	-1.7	6.6
224.1	54.4	1370	100	71.6	60	6.5	368	.13	69.9	-1.7	6.5
223.1	54.8	1371	100	71.4	70	6.5	354	.13	69.7	-1.7	6.5
222.1	55.5	1372	100	71.2	80	6.4	339	.13	69.5	-1.6	6.4
221.3	56.3	1373	100	70.9	90	6.4	325	.13	69.3	-1.6	6.4
220.6	57.2	1374	100	70.5	100	6.4	318	.13	68.9	-1.5	6.4
220.1	58.1	1374	100	70.0	110	6.5	312	.13	68.5	-1.4	6.5
219.7	59.2	1375	100	69.4	120	6.7	305	.13	68.1	-1.4	6.7
219.5	60.4	1375	100	68.8	130	6.8	299	.13	67.6	-1.3	6.8
219.5	61.6	1375	100	68.2	140	6.9	294	.13	67.1	-1.2	6.9
219.6	62.8	1375	100	67.6	150	7.0	290	.13	66.6	-1.0	7.0
220.0	64.0	1374	100	67.1	160	7.2	286	.13	66.1	-0.9	7.2
220.8	65.0	1374	100	66.6	170	7.3	283	.13	65.8	-0.8	7.3
221.3	66.0	1373	100	66.2	180	7.3	279	.13	65.5	-0.7	7.3
222.0	67.1	1372	100	65.8	190	7.7	297	.13	65.2	-0.6	7.7
222.9	68.0	1372	100	65.5	200	8.0	315	.13	64.9	-0.5	8.0
224.0	68.7	1370	100	65.2	210	8.3	334	.13	64.7	-0.5	8.3
225.2	69.2	1370	100	65.0	220	8.6	352	.13	64.6	-0.4	8.6
226.4	69.3	1368	100	65.0	230	8.6	352	.13	64.6	-0.4	8.6
227.6	68.8	1367	100	65.2	240	8.3	332	.13	64.7	-0.4	8.3
228.7	68.1	1366	100	65.4	250	8.1	313	.13	64.9	-0.5	8.1
229.6	67.2	1365	100	65.7	260	7.7	294	.13	65.1	-0.6	7.7
230.3	66.1	1364	100	66.1	270	7.3	275	.13	65.4	-0.7	7.3
231.0	65.1	1364	100	66.5	280	7.1	272	.13	65.7	-0.8	7.1
231.5	64.0	1363	100	67.0	290	6.9	268	.13	66.1	-0.9	6.9
231.8	62.8	1363	100	67.5	300	6.7	265	.13	66.5	-1.0	6.7
231.9	61.7	1363	100	68.1	310	6.5	261	.13	66.9	-1.1	6.5
231.9	60.5	1363	100	68.7	320	6.4	267	.13	67.4	-1.2	6.4
231.9	59.4	1363	100	69.2	330	6.4	283	.13	67.9	-1.3	6.4
231.7	58.3	1363	100	69.8	340	6.5	299	.13	68.4	-1.4	6.5
231.2	57.3	1363	100	70.3	350	6.5	315	.13	68.8	-1.5	6.5

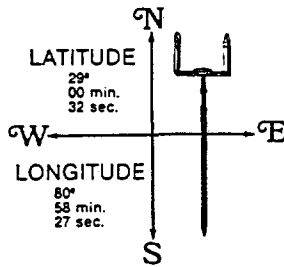
Note: Proposed FM ERP shown as .13 Kw. Actual would be .125 Kw.
(.125 Kw x 40 = 5.0 Kw Vertically Polarized)

Data shown at 10 degree intervals. Actual calculations
were done at 1 degree intervals.

DUPLICATE

Attachment B

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Richard Van Zandt

Broadcast Engineer

904-427-9000

2596 STATE ROAD 44

NEW SMYRNA BEACH, FL 32069

JAN 30 1990

Federal Communications Commission
Office of the Secretary

TECHNICAL STATEMENT
CONCERNING THE APPLICATION OF
JOY PUBLIC BROADCASTING CORP.
FOR AUTHORITY TO CONSTRUCT A NEW
NONCOMMERCIAL EDUCATIONAL
FM BROADCAST STATION AT
LINCOLN, NEBRASKA
BPED-881205MB

On January 3, 1990 The Chronicle Publishing Company, licensee of television station WOWT, filed a Petition to Deny the above captioned application for a new FM radio station. This statement is in response to that petition.

Joy Public Broadcasting Corporation proposes to operate with an ERP of 5 kilowatts using Vertical Polarization and a HAAT of 96 meters. This new facility would provide Lincoln, Nebraska, with a new FM service offering programming that is new and unique to the community. Programming that is needed.

The applicant and this engineer understands the concerns of WOWT TV-6. Therefore, in order to comply with Section 73.525 the applicant proposed locating the transmitting antenna well outside the Lincoln city limits and using Vertical Polarization.

We believe that the concerns of WOWT as outlined by the engineering firm of du Treil, Lundin, & Rackley, Inc. can be satisfied. They suggested that "pattern measurements" be made. This had already been considered and discussed with the antenna manufacturer.

The applicant plans to use a JAMPRO JSVP-1 Vertically Polarized FM Antenna. The antenna would be designed specifically for the tower; after antenna construction the exact antenna will be side-mounted on a tower which duplicates the customer's tower. Jampro will then take HPOL and VPOL patterns with the antenna mounted at various positions on the tower. Specifications for the Jampro Antenna and Pattern Measurement Service are attached. With the information from the Pattern Measurement Service the applicant will then mount the manufactured antenna to comply with the CP. The applicant will retain the service of a registered surveyor to certify that the antenna has been mounted in the proper direction. (as performed with directional antennas)

While the Pattern Measurement Service would be an extra cost to the applicant the applicant is willing to make this expenditure in order to show good will and compliance. The applicant requests that the Antenna Measurement Service be conducted during construction of the actual FM antenna to be used.

The engineering statement of du Treil, Lundin, & Rackley, Inc. stated that "the construction permit could contain a condition that the showing be made". We believe this to be a fair request. Joy Public Broadcasting Corporation will show compliance prior to receiving a License for the new FM station.

In summary, the Joy construction permit should be processed without further delay. Joy will provide Pattern Measurements and show compliance with CFR 73.525 prior to receiving a License.

Respectfully,



Richard Van Zandt

January 25, 1990



January 21, 1987

WELCOME TO JAMPRO ANTENNAS, INC.

Introduction

JAMPRO ANTENNAS INC.

Jampro has been designing and manufacturing broadcast antennas in Sacramento, California U.S.A. for over 29 years. Jampro is well known in the industry as an aggressive and quality oriented company specializing in antennas and associated components. Our products are being used world wide. More than 1,800 antennas have been sold since the company was founded in 1958. Jampro is currently developing new state of the art antennas for broadcast applications. We have always lead the industry with innovative concepts and ideas. Jampro is the leading company in the United States that specializes in all types of antennas from AM arrays to superpower UHF antennas. Jampro will continue to supply the United States and all the world with high quality, competitively priced, and up to date designs for your needs.

2) STAFF

PRESIDENT-OWNER (22 years with Jampro and Broadcasting)
James E. Oliver

VICE-PRESIDENT-OWNER (8 years in Broadcast and Tower design)
Alex Perchevitch
Sales Engineer-FM

CONSULTING ENGINEER (18 year association with Jampro)
Dr. Ray Du Hamel
Antenna Design

ANTENNA DESIGN ENGINEER (8 years in Antenna Design)
Ali Mahnad PHD Candidate-Antenna Design

SALES ENGINEER (40 years in Broadcast industry)
Bill Cunningham-TV

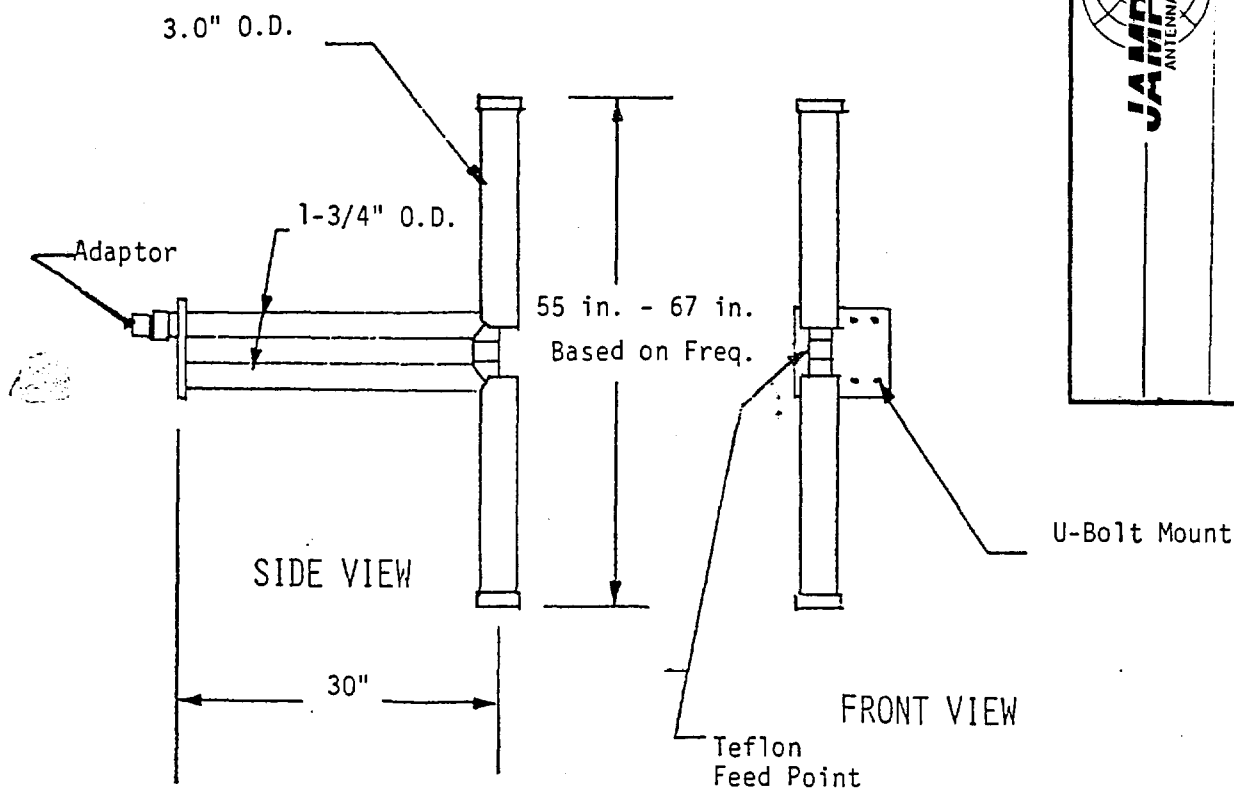
DIRECTOR OF LATIN AMERICAN SALES (3 years with Jampro)
Carlos Bouza

CONTROLLER (14 years in Broadcast Accounting)
Alan Acrell

PRODUCTION MANAGER (5 years with Jampro)
Mark Cunningham-Traveling and climbing Technician

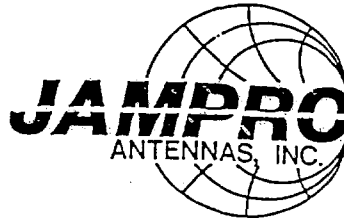


CUSTOMER	PROJ.	DATE
LOCATION	APPROVED BY	DATE
SCALE	APPROVED BY	DATE
DRAWN BY	APPROVED BY	DATE



SPECIFICATIONS

Antenna Type	JVD Vertical Polarized Dipole
Frequency	Any single frequency from 88 - 108 MHz
Bandwidth	1.1:1 or better \pm KHz from carrier frequency
Materials	Brass, copper and teflon
Input Power Rating	10 KW
Input	1-5/8, L.C., Type N, BNC
Gain	1.0 with respect to dipole; 0.0 dB
Mounting	U-Bolt Mount (U-Bolts supplied)
Weight	25 lbs.
Windload	76 lbs. @ 50 psf (no ice); 88 MHz



JAMPRO ANTENNAS, INC.
PATTERN MEASURE SERVICE FOR FM

To provide the FM Broadcaster with information to base his antenna installation, Jampro has provided this pattern measure service for several years. Basically, it provides ten measured patterns, made with full scale range measurements, and the antenna mounted in as many different positions on the tower. Due to the fact that tower dimensions affect antenna radiation patterns in varying respects, this service takes away much of the guess work in the decision on antenna orientation.

The basic cost of this service : \$ 2,150.00

Specifications on the job:

1. Jampro antennas will use one bay of our antenna tuned to the job frequency.
2. This antenna will be mounted on one section of a tower which duplicates the customer's tower. All ladders, coaxial lines, conduits and other materials in the antenna aperture will be duplicated in this test.

Many tower models are in stock at Jampro. If necessary to duplicate the customer's tower by new construction, there will be a charge made for this. It is based on time plus materials, and may add \$ 1,000 to \$ 2,000 to job cost.

3. Using a leg-mount bracket, five HPOL and VPOL patterns will be measured and charted with the antenna oriented in five different directions with respect to the tower. These will vary from right angle with respect to the left face to a similar position with respect to the right face of the tower.

Then with a special length leg-mount bracket the bay will be spaced farther out from the tower and the five measurements above will be repeated.

4. This data will be given to the station for mounting and tuning decision. Express mail, facsimile or other means can be used.
5. In the event the station desires further experimentation, this may be arranged, at additional cost - usually \$ 1,500 per day.

Call Factory Sales for further information

The station accepts responsibility for their choice of antenna mounting in observance of FCC regulations regarding directional antennas.